

1 Introduced by Mr. Chipperfield, Feb. 25, 1909.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to establish a surgical institution for children, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois represented*

2 *in the General Assembly:* There is hereby authorized to be established a sur-
3 gical institution in and for the State of Illinois for the surgical treatment of
4 children under the age of 14 years, suffering from physical deformities or in-
5 juries of a nature which will likely yield to surgical skill and treatment and
6 which, unless so treated, will probably make such children, in whole or in part,
7 in after life, public charges.

Sec. 2. Said institute shall be known as the Illinois Surgical Institute for
2 Children; and by such name shall be and constitute a corporation under the
3 laws of the State of Illinois.

Sec. 3. The purpose and object of said institute shall be to receive, treat
2 and nurse such children, whose parents or guardians may be financially unable
3 to provide surgical treatment, as may be physically deformed or suffering from
4 injuries requiring surgical treatment, to the end that their physical disabilities
5 may be removed, and that they may be thereby made able to become self-sus-
6 taining instead of being or becoming at some future time public charges.

Sec. 4. The management and control of said institution shall be vested
2 in three trustees, who shall be discreet and capable men, and one of whom
3 shall be a reputable and skilled surgeon, all to be appointed by the Governor
4 of the State of Illinois, and to serve respectively one, two and three years
5 from the date of their appointment, the length of term of service of each to
6 be specified in his commission. Said trustees shall receive no compensation
7 of any kind for their services, over and beyond their actual traveling and in-
8 cidental expenses, incurred in connection with the discharge of their duties
9 as such trustees.

Sec. 5. Any child under the age of 14, whose parents, or natural guard-
2 ian, may be unable to furnish proper surgical treatment and who may be in
3 need of the same may be admitted to such institute upon an order to that effect
4 made by the county judge of the county in which said child may have had a
5 legal residence for one year last past. The county treasurer of the county
6 in which said child may have so resided shall, upon the order of said county
7 judge, furnish said child with transportation from the place where said child
8 may so reside to the place of said institution and return. The order admitting
9 said child shall, when made, be filed with the superintendent of said institute,
10 and said child shall be admitted thereto in the regular order of filing as soon
11 thereafter as said institute can provide room, care and attendance therefor.
12 Said child, if deemed feasible, shall be treated, nursed in said institute until a
13 recovery is effected, or it becomes apparent that further treatment will be of

14 no avail, whereupon it shall be discharged and returned to its former place of
15 residence.

Sec. 6. Said institute shall be located in that portion of Illinois which
2 may be deemed most advantageous.

Sec. 7. On the appointment of said trustees they shall, by advertisement
2 in not less than four of the daily newspapers, published within the territory
3 wherein the said institute shall be located, solicit the donation of a site for
4 said home, describing the requirements thereof, which shall be a tract of land
5 containing not less than 160 acres, convenient to railroad transportation, and
6 suitable for the purpose, taking into account healthfulness of the location,
7 water supply, drainage and agriculture; and if a location satisfactory to the
8 said trustees shall, within a time to be fixed by said trustees, be offered to
9 be donated for said purpose, they may, upon investigation, finding the title to
10 be good, free and clear, accept such offer, and cause proper conveyance there-
11 of to be made to such institute by the corporate name thereof.

Sec. 8. The board of trustees shall appoint a skilled and capable surgeon
2 general superintendent, and may remove the same for cause to be stated, first
3 having given such officer a copy of the charges against him, and reasonable
4 notice of the time and place when such charges will be heard, and an oppor-
5 tunity to defend himself.

Sec. 9. All other officers and employes shall be appointed and removed
2 by the said board of trustees, except insofar as is covered by the civil service
3 laws of Illinois.

Sec. 10. The compensation of the superintendent, officers and employes
2 shall be fixed by the board of trustees.

Sec. 11. The board of trustees may from time to time accept and hold
2 and use for the benefit of said institute, or the inmates thereof, any gift, do-
3 nation, bequest or devise of money or real or personal property, and may agree
4 to and perform any condition of such gift, donation, bequest or devise not con-
5 trary to any law of the State.

Sec. 12. The board of trustees shall establish all needful rules and regu-
2 lations for the management of said institute and of the inmates thereof.

Sec. 13. The board of trustees shall cause to be prepared suitable plans
2 and specifications for the building and improvements upon the site so selected
3 as may be necessary to carry into effect the purpose of this Act. The princi-
4 pal building shall be of sufficient size and capacity to permit the proper treat-
5 ment and care of at least fifty patients at one time; said building to be plain
6 and substantial in its type of architecture, of approved design for the pur-
7 pose for which it is intended, and shall be constructed of fire-resisting mate-
8 rials.

Sec. 14. The plans and specifications, when prepared to the satisfaction of
2 the board of trustees, shall be submitted to the Governor, with a detailed esti-
3 mate of the cost of each and every building and improvement proposed to be
4 made.

Sec. 15. When such plans are approved by the Governor, the board of trustees
2 shall cause not less than thirty days' notice to be given, by publication in at
3 least four daily newspapers, published in the State of Illinois, that sealed bids
4 will be received for the construction of such building and improvements as the
5 said board shall conclude to construct at that time. Said notice shall specify
6 when and the terms upon which bids will be received.

Sec. 16. No bid shall be accepted which is not accompanied by sufficient
2 bond in the penal sum of \$10,000, payable to the People of the State of Illi-

nois, with at least three good and sufficient sureties conditioned that if his bid is accepted he will enter into a contract with said school, by its corporate name, for the doing of the work, and will give bond required by this Act, conditioned for the faithful performance of his contract. At the time and place specified in the notice and in the presence of such of the bidders as may appear, the bids shall be opened and the contract awarded to the lowest and best bidder, unless it shall appear that no satisfactory bid shall have been made, and if no satisfactory bid shall have been made, another notice shall be given in like manner for other bids until an acceptable bid shall be made. The trustees may accept bids for the particular portions of the work if they can be advantageously separated.

Sec. 17. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the Governor before accepted, conditioned for the faithful performance of his contract; shall provide for the appointment of a superintendent of construction, who shall receive not more than \$5 per day for his services, and who shall carefully and accurately measure the work done, and for the payment of the contractor upon the aforesaid measurement and for the withholding of 15 per cent of the value of the work done and materials on hand until the completion of the building and for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed after the time specified for the completion in the contract, and for the full protection of all persons who may furnish labor or materials by withholding payment from the contractor and by paying the parties to whom any moneys are due for service and materials, as aforesaid, directly for all work done or material furnished by them, in case of notice given to the trustees that any such party apprehends or fears he will not receive all moneys due; and for the settlement of all disputed questions as to the value of alterations and extras, by arbitration, at the time of final settlement,

18 as follows: One arbitrator to be chosen by the trustees, one by the contractor
 19 and one by the Governor of the State, all three of said arbitrators to be prac-
 20 tical mechanics and builders, and for the power and privilege of the trustees
 21 under the contract to alter changes in the plans, at their discretion, and to
 22 refuse to accept any work which may be done not fully in accordance with the
 23 letter and spirit of the plans and specifications, and all work not accepted shall
 24 be replaced at the expense of the contractor, and for a deduction from the cur-
 25 rent price of all alterations ordered by the trustees which may and do diminish
 26 the cost of the building. They may also make such other provisions and con-
 27 ditions in said contract not hereinabove specified as may seem to them neces-
 28 sary or expedient: *Provided*, that no condition shall be inserted contrary to
 29 the letter and spirit of this Act, and that in no event shall the State be liable
 30 for a greater amount of money than is appropriated for said building and its
 31 appurtenances.

Sec. 18. All contracts shall be signed by the president of the board of trus-
 2 tees on behalf of the board, after a vote authorizing the president so to sign
 3 shall have been entered upon the minutes of the board; and it shall be attested
 4 by the signature of the secretary of the board and by the corporate seal. All
 5 contracts shall be drawn in triplicate, and one copy shall be deposited in the
 6 office of the Board of Public Charities of this State.

Sec. 19. All measurements or estimates on account of work in progress
 2 shall show in detail the amount and character of the work estimated, and the
 3 estimates shall be paid from the State treasury only on the warrant of the
 4 Auditor of Public Accounts on vouchers made by the said board of trustees
 5 and approved by the Governor.

Sec. 20. The following sums are hereby appropriated: For the construc-
 2 tion of said building and improvements, the sum of fifty thousand dollars; for
 3 the furnishing of said building, the sum of ten thousand dollars.

